

ITEM NO: \_\_\_\_\_

PREPARED BY: Lou Geater

APPROVED BY: Christy L. Kinard  
Assistant County Attorney

**RESOLUTION TO STRONGLY ENCOURAGE THE SHERIFF TO ALLOW FOR THE DISTRIBUTION OF CONDOMS TO INMATES AT THE SHELBY COUNTY JAIL FOR THE PURPOSE OF PREVENTING THE SPREAD OF THE HIV/AIDS VIRUS. SPONSORED BY COMMISSIONER HENRI E. BROOKS.**

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**WHEREAS**, The HIV/AIDS virus disproportionately affects communities of color, with African Americans accounting for forty nine percent (49%) of AIDS diagnoses; and

**WHEREAS**, The Department of Justice has estimated that four point eight percent (4.8%) of African American males in local jails and State or Federal Prisons are currently infected with HIV/AIDS; and

**WHEREAS**, The Centers for Disease Control estimates that forty eight percent (48%) of African American males with HIV/AIDS acquired the virus through male-to-male sexual contact; and

**WHEREAS**, Centers for Disease Control research suggests that African American women are most likely to be infected with HIV/AIDS by a male partner who is infected with the virus; and

**WHEREAS**, State law currently requires all state correctional facilities to issue an HIV test upon the reception of all inmates less than 21 years of age (TCA 41-21-107) and requires all persons arrested for certain sexual offenses to be tested for HIV (TCA 39-13-521); and

**WHEREAS**, The spread of HIV/AIDS is a critical public health issue that requires governmental entities to use such available preventive measures as are available to combat the crisis, including, but not limited to, allowing the distribution of condoms in jails and correctional facilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That the Sheriff is encouraged to allow for the distribution of condoms to inmates at the Shelby County Jail in order to prevent the further spread of HIV/AIDS among the jail population.

**BE IT FURTHER RESOLVED**, That this resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.

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A C Wharton, Jr., County Mayor

Date: \_\_\_\_\_

ATTEST:

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Clerk of County Commission

ADOPTED: \_\_\_\_\_